

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

&

THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 9TH OCTOBER 2007 / 17TH ASWINA 1929

LA.App..No. 769 of 2005()

LAR.94/2003 of SUB COURT, CHERTHALA

APPELLANT: 2ND RESPONDENT:

THE MANAGING DIRECTOR,
KERALA STATE INDUSTRIAL DEVELOPMENT CORPORATION,
THIRUVANANTHAPURAM.

BY ADV. SRI.V.JAYAPRADEEP, SC, KSIDC

RESPONDENTS: CLAIMANT/RESPONDENTS:

1. BAHULEYAN,
CHAKKANATTU COLONY, PALLIPPURAM, CHERTHALA.
2. LEELA, -DO- -DO-.
3. KERALA STATE,
REP. BY THE SPL.TAHSILDAR (LA),
INDUSTRIAL GROWTH CENTRE, CHERTHALA.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 09/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.No.769 of 2005

Dated 9th October, 2007.

J U D G M E N T

Kurian Joseph, J.

This appeal is directed against the judgment and decree in L.A.R.No.94/2003 on the file of the Sub Court, Cherthala. Appellant is the requisitioning authority. The acquisition is for the purpose of setting up an Industrial Growth Centre at Pallippuram in Alappuzha District. It is brought to our notice that a batch of Land Acquisition Appeals have been disposed of by common judgment dated 30.6.2005 in L.A. Appeal 336/04 and connected cases, remanding the matter to the Reference Court. It is also seen that another batch of appeals also have been disposed of interfering with the enhancement and directing the Reference Court to consider the matter afresh, in the judgment in L.A.A.No.725/04 and connected cases.

Therefore, the judgment and decree under appeal are set aside and L.A.R.No.94/03 on the files of the Sub Court, Cherthala is remanded to the said court to be considered afresh. The appellant will be entitled to refund of the court fee.

KURIAN JOSEPH, JUDGE.

HARUN-UL-RASHID, JUDGE.

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